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sires her Duty, and Mr. Waldo his Compliments. Having nothing further at present but to deplore your unhappy situation,

Remain, dear sir, your Dutiful Son,

HARRISON GRAY, JUN'R.

To Harrison Gray, Esq.

Notes from the Council and General Court Records

1641-1672.

BY THE LATE CONWAY ROBINSON, ESQ.

(CONTINUED.)

Genl. Ct. Judgements and orders 1664 to 1670, commenced "at a General Court held at James City, the 22d day of November, 1664." Names of governor and council, of whom Miles Cary was one. Court sat morning and afternoon.

1664, Nov. 22d. P. 1. Major General Mannering Hammond⁴ having occasion to go to England, three years further time allowed him to seat his land.

[Nov. 23d, and succeeding dates, commissioners and sheriffs of various counties appointed, but no names are given.]

P. 5. Judgment for killing a horse, for less than half the value, altho' act of assembly directed treble.

5. Case remanded to Lancaster court with direction to take care that the jury can write.

Nov. 24. P. 6. Com[mission] from the King confirming comm. of Thos. Stegg as aud. genl. read in open court (Com. in previous book).

P. 7, 8. Judgements by default at preceding general court now confirmed (defendant not appearing).

P. 8, 9. Interpreter to live near Pamunkey Indians.

P. 9. Surry commissioners [censured?] for not building stocks, prison and pillory.

26. P. 11. Judgement for a filly.

P. 12. Collectors of several rivers to purchase powder.

P. 12. How ships are to be entered and cleared.

1665, March 21. P. 13, 14. Governor had prerogative of ejecting ministers. Orders where minister had been badly treated by part of the vestry. P. 216.

P. 15. Peculiar judgement against a man for forcibly carrying another out of the colony.

P. 18. Judgement for slandering clerk of a court.

March 25. P. 23. Two fairs to be kept at James City.

23, 4. Interpretation of late act giving liberty to plant and make what tobacco they can, either by seconds or ground slips.

P. 24. Answer directed to proposition sent from Colo. Morrison concerning the coming in of ships.

June 21. P. 25. Regulations for the security both of the ships and country.

P. 25, 26. War now between England and the Dutch. Commands of the King received and measures taken for defence.

Aug. 1. P. 27. Fine for contemning warrant in the King's name.

October 12. P. 30. Judgement against a runaway servant.

P. 33. Debt incurred by a burgess in the service to be paid by his county.

Oct. 14. P. 35. Indian allowed to patent for land. P. 113. Children of a negro.

P. 37. Negro to be free after serving 7 years.

Oct. 16. P. 39. Alice Stephens accused as a witch but not [illegible].

Oct. 17. P. 42, 3. Indictment against a man and woman for murdering bastard child. Grand and petit jury. Peculiar judgement.

Oct. 19. P. 47. Case of Piracy. Pirate sent to England for trial. And Indians in his sloop declared free.

Oct. 20. P. 48. Complaint of the Queen of Pamunkey.

Oct. 24. P. 57. Judgement for defaming a justice.

Oct. 26. P. 58, 9. Severe judgement for taking a prisoner out of the sheriff's custody.

1666, March 28. P. 67, 8. King's direction that no ships shall depart from this country until 1st April, and then to go in one fleet under an admiral carried out by postponing departure till last of April.

P. 68, 9. In case of ships taken on their return by Dutch men of war, whether duty on exports shall be refunded. P. 145. Some refunding. See also p. 117 of book from 1670 to 1677.

P. 71. No land to be surveyed within 5 miles of an Indian town.

Oct. 29. P. 73. Judgement for dishonorable words spoken against Major General Bennett.

P. 75. Measures taken for expeditious building of fort at Point Comfort.

P. 76, 7. The colony thought the fort had better be built at James City, but took measures for building it at Point Comfort in obedience to the King's command. Also p. 81.

P. 78, 9. Duties formerly paid to the captain of the fort converted to the building and defence of the same.

June 6. P. 79. No master of ship to depart without license from the governor.

P. 81. Ship built in Virginia.

P. 83-8. Proceeding, Robert Morris, master of the ship King David, for violating English statutes. P. 86-88. Petition of Morris.

July 10. P. 89. Information of the arrival of an enemy's man of war and measures taken.

P. 90, 91. Further measures. P. 92. Power to Maj. Gen'l Smith.⁶⁵ P. 91, 92. Application for a frigate.

P. 90. In consequence of murders by the Indians, contrary to treaty of peace, war of extermination directed against them. P. 93. Persons removed off a plantation near them.

P. 92. Regulation for the speedy transmission of public letters & other dispatches.

Oct. 24. P. 97. County of Nansemond to pay expenses of criminals sent up for trial.

Oct. 26. P. 102, 3. Particular judgment for defamation of the governor. P. 133, 4. And of the Council.

P. 105. Concerning churches of Stratton Major parish, in New Kent.

Oct 29. P. 107. Disposition of estate of decedant when no creditor or distributee appeared.

P. 109. Judgment of death for stabbing.

Oct. 31. P. 113. Bounds of glebe for James City parish.

P. 114. Glebe of Christ Church in Lancaster.

1667, April 19. P. 127. Concerning lands and heirs of Richard Kemp. P. 274, 5.

P. 128. Contractor for church of York parish agreed to go on and build it.

P. 134. Thomas Ludwell,⁵⁴ Secretary, to enter and clear ships.

P. 138. Edward Matthews on his knees to beg forgiveness of Thomas Stegge.

June 21. P. 146. Sea fight in Virginia between Captain Robert Conway and the Dutch.

P. 144. Governor to provide 20,000 pounds of biscuit to be always ready.

P. 147. Guns to be mounted at Point Comfort, and gunners appointed.

P. 147. Guns to be carried there from burnt ship Elizabeth.

P. 147. Sailing of ships deferred till the 27th.

Sept. 28. P. 164. Justice of the peace fined for plundering ships in the late invasion. P. 182. Further orders.

1668, April 17. P. 175. Land granted Pamunky Indians on the north of James River confirmed to them.

April 22. P. 187, 8. Widow to have legacies and thirds. P. 221.

April 23. P. 190. Decision that by a devise to [illegible] the fee passes, altho' the word heirs be omitted—and appeal to the assembly.

April 28. P. 205. Land taken up adjoining what a man owned before, not to lapse for want of seating.

P. 206, 7. Complaint of ship Virginia Berkeley having trafficked unlawfully in Spain.

Sept. 21. P. 210. David Mansell⁵⁵ allowed to keep 2 Indians to work and hunt for him.

P. 210, 11. In case of Captain Giles Brent,⁵⁶ order of Stafford county, dated 27th of May, 1668, record [? word almost illegible], the court having 21 years experience of his fidelity in not seducing any persons to the Roman Catholic religion.

P. 216. Opinion of the court that where debtor remaineth in prison his estate may be taken.

Genl. Ct. Office Inquisitions, &c., No. 32, 1665 to 1670.

1663, Sept. P. 1. Indictment against John Gunter, William Bell & others for treason—laid the 6th of Sept., in the 15 of Charles 2d [1663], at Newmans land in Gloucester. Attempt of servants to get a year of their time, and of refusal to go out of the country, as appears by the depositions. P. 1 to 5. [This refers to what was called "Birkenhead's Plot," planned by the indentured servants. But little is known of this affair. In *Hening I*, 191 and 204, will be found an act establishing the 13th of September as a holy day in commemoration of the preservation of the colony, and a resolution rewarding Burkenhead, the servant, who betrayed the plot. Miss Johnston's novel *Prisoners of Hope*, was based on this conspiracy.]

1664, Feb. 28. Instructions for his majesty's sub commissioners of prizes in Virginia, whilst in hostility with the Dutch.

Feb. 28. Instructions for the store house keeper of his majesty's plantation of Virginia. P. 12-15.

25. Commission to S^r Wm. Berkeley as sub commissioner. P. 15, 16.

Commission to be storehouse keeper. P. 16.

Jan. 13. Orders from the King that ships must return from Virginia in company. P. 17.

1665, Nov. 4. Further orders on same subject. P. 18, 19.

Nov. 15. King's letter on same subject. P. 20.

1664, 5, Jan. 27. Letter from the King containing information of the state of things between England and the Dutch, and directing forts in Virginia and other measures for the protection of the shipping. P. 21, 22.

1666, May 1st. S^r Wm. Berkeley's proclamation prescribing mode and time in which ships should sail from Virginia. P. 22, 3, 4.

From the admiral, vice-admiral and rear admiral on the same subject.

Jan'y 10. Information of the firing of London and that the seas were so full of pirates that no ship could go home in safety; and orders in consequence. P. 25. Nature of the information received. P. 26.

Sept. 10. Embargo at this time. Mode in which ships were permitted to come to Virginia. P. 26, 27, 28, 35. Certain ships made free ships. P. 71, 2, 3.

Nov. 13. Letter from the King, "by his majesty's command," prescribing times when ships are to sail from Virginia, 24 of March, 24 of June, and 24 of September. P. 29, 30.

1667, June 24. Sir Wm. Berkeley's proclamation in accordance with that letter. P. 31, 2, 3.

King's license of the 13th of December, 1664, to John Brown who had patent for using [?] sugar in Scotland, to trade to America. P. 33, 4. Brown's letter of the 1st of February, 1664. King's letter of the 16th of Jan'y. P. 41, 2.

Octo. Letter from John Bowler giving certain information. P. 37, 8, 9.

Oct. 24. Letter from the Genl. of Jersey island. P. 42.

1668, Jany. 4. [Commissioners for Surry and Middlesex—no names.]

Nov. 18. Resolutions for the settlement of commerce to and from his majesty's plantations in America and other places, to the port of New York, and the rent of his royall highnesses [the Duke of York's] territories. Dated at Fort James in New York on Manhattan island the 18th of November 1668. P. 70.

1667, June 24. Commission to Thos. Ludwell as Escheator for the whole Colony. P. 74.

1666, Sept. 3. Letter from Wm. Drummond,⁴⁰ then of Carolina. P. 94, 5.

1672, June 25. Directions from the Duke of York that particular persons bound on a voyage to Virginia are not to be impressed. P. 165. Authority from Prince Rupert of the 29th of June. P. 166. Instructions from the Duke of York of the 3d of January, 1672. P. 166, 7. Other instructions of the 15 of Jan'y. P. 168. Orders of court at James City, May 23d, 1672. P. 168.

1673, May 7. Concerning fort which Drummond was to build at James City. P. 173.

Aug. 8. Channel from Point Comfort to Sandy Point. P. 173.

Oct. 21. Order of Court martial *vs.* Richard Clark, for meeting. P. 174.

1666, June 1. Authority from the county of Albemarle in the Province of Carolina to William Drummond and Thos. Woodward to treat about cessation [of tobacco planting] with Maryland. P. 219. Letters from to governor of Maryland of the

26 of June, 1666, appointing persons to treat. P. 219. Articles considered [?] upon the 12 of July, 1666. P. 219 to 222.

Letter from the King of the 3d of February, 1668, to prevent frauds in the customs. P. 232, 3.

Enquiries to the governor of Virginia. P. 234, 5, 6. Answers to the enquiries. P. 239 to 243.

These in *Hening*. Notice by whom the enquiries are signed and when they were offered [C. R.]

Book in General Court Office, No. 3, 1663 to 1668.

P. 3. Letter of March 22d, 1663-4, from S^r Wm. Berkeley to the governor of Maryland about tobacco.

P. 4, 5. Letter of Oct. 2d, 1664, from S^r Wm. Berkeley to governor of neighboring province, desiring him to deliver up disturbers of the public peace.

1665, April 3d. P. 22. Order that no ship shall depart until she have 3 more in company.

1664-5, March 12. P. 40. Instructions to commander of the Olive Branch.

1665, Nov. 9. Case of piracy and mode of proceeding. P. 61.

1666, Aug. 14. Assembly to meet Oct. 22. P. 95, 6.

Sept. 19. Letter from S^r Wm. Berkeley to Wm. Drummond. P. 99.

1664. Concerning the churches of Stratton Major parish. P. 154 to 183.

1665, Nov. 4. King's instructions as to mode in which ships should sail. 249 to 251.

Jany. Concerning Sandy Point.

1666, May 12. Conference between the commissioners of Virginia and Maryland. P. 346, 7. Articles considered [?] upon the 12 of July, 1666. P. 248. Further articles of the 11 of Dec., 1666. P. 352 to 356.

1667, Sept. 24. Coarse language. Man writes that he is prevented from coming to court by the "extreme torment of the griping of the guts." P. 442.

1668, March 19. King's commission to Edmund Scarburgh as surveyor general.

Journal of the assembly held in October, 1666.

[Some extracts from the journal of this session, preserved in

the manuscript volume, called the "Randolph MS.," are printed in *Hening*, II, 249-254, which are not the same as those extracted by Mr. Robinson; but as there is in the collection of this society, a copy of the "Randolph MS.," the journal will be printed in full at some future time.⁴ Therefore the extracts are omitted.—Ed.]

General Court Judgements and Orders, 1664 to 1670.

1668, Sept. 24. P. 219. Judgment for defaming under sheriff.

P. 222. Lands delivered up by Indians granted—over other side 613.

P. 224. Mention of the will of Col^o [Miles] Cary, containing bequest for his three daughters, and question prepounded by his son Thomas Cary, and decided by the court.

P. 228. Judgment for a negro for his freedom. P. 306.

P. 230. Judgment against a minister marrying a servant.

Nov. 24. P. 244. Judgment for calling a woman and her children witches. P. 253. Pardon craved.

P. 247. Judgement of Nansemond court in case of slander confirmed.

Nov. 25. P. 251. Judgment for breaking prison, that party be banished to Barbados. Other side. P. 647.

P. 251. Application of Thos. Hunt to be paid for maintaining the bridge and repairing the dam over Powhatan Swamp.

1669, April 1. P. 261, 2. Ordinary keepers not to trust seamen.

P. 267. Case of a justice of the peace and doctor speaking approbious words of the governor.

P. 274. Case of a man complaining that wife, child, and goods are detained from.

April 23d. P. 276. Richard Awborne? sworn clerk to the council.

P. 279. Hannah Warwick's case extenuated because she was overseen by a negro overseer. [Doubtless she was a white servant.]

P. 286. Judgment for murder.

P. 297. Indian brought in, to be free after serving 5 years.

Oct. 28. P. 305. Persons authorized to grant marriage licenses in Rappahannock, Northumberland and various other counties.

Oct. 30. P. 312. Case of Henry Smith, of Accomack, charged with Rapes, &c., to appear at James City the 10th of Feb'y next. (This the last order in this book.)

How privy examination of a femme covert was taken in 1667. Other side of book. P. 548, 9.

Other side. P. 586. Henry Corbin,⁶⁰ member of the council, abused by Wm. Goodloe,⁶¹ master of a ship. Deposition at large.

P. 610. Oath of clerk of the council.

1670. Col^o Miles Cary, late of Warwick county, by his will, amongst several bequests and legacies, directed a sale to be made of his two houses in the city of Bristol in the Kingdom of England, one of them situated in Ballame street, and the other house situate in St. Nicholas street, and that the produce of money they should be sold for should be equally divided between his three daughters, to-wit: Anne, Bridget and Elizabeth Cary. Emanuel Wills⁶² married Elizabeth Cary. And they, by a deed of the 11th of April, 1670, conveyed to William Bassett, of the county of New Kent, all their interest in said houses. Genl. Ct. Will Book, No. 2, p. 3.

By a deed of the 19th of May, 1670, it is recited that a marriage was to be solemnized between S^r William Berkeley, Knt., Gov^r & Captain General of Virginia, and Frances Stephens, widow of Samuel Stephens Esq^r, late Governor of Carolina, and S^r Wm. Berkeley covenanted with Alexander Culpeper and Anthony St. Leger to convey for her benefit during her life, estate in England of the yearly value of six hundred pounds sterling money of England. Genl. Ct. Will Book, No. 2, p. 22 and 30. The marriage it may be inferred took place soon after the date of this deed, for it was acknowledged in court the 21st of June, 1670. *Id.*, 30, 31.

In 1670 the vestry of Trinity⁶³ parish, in the county of Lancaster, presented to the governor, Mr. Benjamin Doggett,⁶⁴ to officiate in the two churches of that parish. Genl. Ct. Will Book, No. 2, p. 37.

(TO BE CONTINUED.)